

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: _____)
_____) Chapter 7
Mark J. Mariani, _____)
_____) Case No. 21-22123-rdd
Debtor. _____)
_____)

**STIPULATION AND ORDER BETWEEN MARK J. MARIANI, THE
GALINN FUND LLC, GEORGE W. GALGANO, DAVID LINN AND
LUCIANA LINN EXTENDING THE TIME TO OBJECT TO THE
DEBTOR'S DISCHARGE AND TO OBTAIN A DETERMINATION
OF THE DISCHARGEABILITY OF CLAIMS TO NOVEMBER 29, 2021**

WHEREAS, on February 26, 2021, Mark J. Mariani, the above-captioned debtor (the “Debtor”), filed a voluntary petition for relief pursuant to chapter 7 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York; and

WHEREAS, Mark S. Tulis, Esq., was appointed the Chapter 7 Trustee (the “Trustee”) of the Debtor’s estate; and has since qualified as, and is, the permanent Trustee in this matter; and

WHEREAS, pursuant to Rules 4004 and 4007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the Notice of Chapter 7 Bankruptcy Case dated February 26, 2021, June 7, 2021 was fixed as the last day to file a complaint objecting to the discharge of the Debtor or to challenge whether certain debts are dischargeable; and

WHEREAS, the Debtor’s initial section 341 Meeting of Creditors was held on April 6, 2021, and continued Meetings of Creditors were held on April 20, 2021, August 3, 2021 and September 14, 2021, during which time the Trustee and the attorneys for The Galinn Fund LLC, George W. Galgano, David Linn and Luciana Linn (collectively, the “Creditors”) requested the production of documents and information from the Debtor. Since that time, certain documents have been produced by the Debtor, and the 341 Meeting of Creditors has been adjourned; and

Whereas, pursuant to a stipulation, that was “So-Ordered” and entered on June 4, 2021 [Doc. No. 14], and a stipulation that was “So-Ordered” and entered on August 4, 2021 [Doc. No. 17], the Creditors’ time to file a complaint to object to the Debtor’s discharge pursuant to section 727 of the Bankruptcy Code, and to file a complaint to obtain a determination of the dischargeability of any debt or claim pursuant to section 523(c) of the Bankruptcy Code was extended up to and including September 30, 2021; and

WHEREAS, the Creditors’ investigation of the Debtor’s financial affairs and whether certain debts or claims may be dischargeable is ongoing; and

WHEREAS, the parties hereby agree to further extend the Creditors’ deadline to file a complaint(s) to object to the Debtor’s discharge and/or to obtain a determination of the dischargeability of certain debts or claims.

NOW THEREFORE it is stipulated and agreed by and between the parties that:

1. The Creditors’ time to file a complaint to object to the Debtor’s discharge pursuant to section 727 of the Bankruptcy Code is extended up to and including November 29, 2021, without prejudice to the Creditors’ right to seek a further extension or extensions of such time.

2. The Creditors’ time to file a complaint to obtain a determination of the dischargeability of any debt or claim pursuant to section 523(c) of the Bankruptcy Code is extended up to and including November 29, 2021, without prejudice to the Creditors’ right to seek a further extension or extensions of such time.

3. Each of the undersigned who executes this Stipulation by or on behalf of a party represents and warrants that he has been duly authorized and empowered to execute and deliver this Stipulation on behalf of such party.

4. This Stipulation may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, and it shall

constitute sufficient proof of this Stipulation to present any copies, electronic copies, or facsimiles signed by the parties here to be charged.

5. The parties hereto consent to the entry of the Stipulation as an order in these proceedings.

Dated: Tarrytown, New York
September 16, 2021

WHITEFORD, TAYLOR & PRESTON LLP

By: /s/ Kenneth M. Lewis
Kenneth M. Lewis

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Dated: Bridgeport, Connecticut
September 16, 2021

ZEISLER & ZEISLER, P.C.

By: /s/ James Berman
James Berman

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Attorneys for Mark J. Mariani

SO ORDERED this 23rd day
of September, 2021

/s/ Robert D. Drain
UNITED STATES BANKRUPTCY JUDGE